

Senate at 5:25 o'clock p. m. took recess until 10:30 o'clock a. m. tomorrow.

FIFTY-EIGHTH DAY

(Continued)

(Thursday, May 7, 1953)

After Recess

The Senate met at 10:30 o'clock a. m., and was called to order by the President.

Reports of Standing Committees

By unanimous consent, Senator Bell submitted the following report:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman.

By unanimous consent, Senator Lane submitted the following reports:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 81, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 82, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 83, have have the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 47, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 44, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 540, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 535, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 495, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 469, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 419, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 414, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 392, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 393, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 361, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 319, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 359, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was re-

ferred H. B. No. 781, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 614, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 600, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 62, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 58, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 84, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

By unanimous consent, Senator Hardeman submitted the following reports:

Austin, Texas,
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 312, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman

Austin, Texas,
May 6, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 579, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but the Committee Substitute Bill, as amended and attached hereto, do pass in lieu thereof and be printed.

HARDEMAN, Chairman

C. S. H. B. No. 579 was read the first time.

By unanimous consent, Senator Lock submitted the following reports:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 891, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 829, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

By unanimous consent, Senator Moffett submitted the following report:

Austin, Texas,
May 5, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 592, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman

Record of Vote

Senator Moore asked unanimous consent of the Senate to delete his name from Senate Resolution 263 adopted on May 6, 1953.

There was no objection offered.

House Bill 175 on Second Reading

The Senate resumed consideration of the pending business (same being H. B. No. 175 on second reading with an amendment by Senator Secrest offered and a motion to table the amendment by Senator Phillips pending).

Question—Shall the amendment by Senator Secrest to H. B. No. 175 be tabled?

Senator Secrest, by unanimous consent of the Senate, withdrew the pending amendment.

Senator Secrest offered the following amendment to the bill:

Amend House Bill 175 as amended, by adding to the printed copy thereof, by adding to Section 1-a, line 28, page 2 thereof, the following language:

"Provided, however, that any contract which said Authority might execute with any municipality which is situated in the watershed of Authority below parallel 30.5 and which maintains and uses storage structures in the bed of the Brazos River or one

of its tributaries, for sale of waters stored in any reservoir of a federally constructed and owned dam and whose storage structures will be wholly or partly inundated by such dam, the following items and no others may be used in determining the cost of such water:

1. Cost, if any, to the Authority of the storage space in such reservoir. For the purposes of this provision, cost shall include the consideration to be paid of or performed by Authority in acquiring such storage rights, with interest on the total value thereof at the rate then applicable to loans to Authority payable over the term of the contract with such municipality; and if bonds are issued by Authority to pay all or a part of such consideration, the obligations of Authority under the resolution authorizing, or the indenture securing, such bonds to make payments into the several prescribed funds shall constitute the basis for determining such municipalities' obligation to Authority for repayment of that part of the cost which shall have been paid through the issuance of bonds.

2. The maintenance cost, if any, to the Authority of the storage space in said reservoir.

3. The cost of administering the disposition of the water from the specific reservoir from which the water is to be taken, which shall include that part of Authority's general administration expense allocated to such project."

Senator Wagonseller moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—7

Aikin	Strauss
Ashley	Wagonseller
Latimer	Willis
Moore	

Nays—20

Bell	McDonald
Bracewell	Moffett
Colson	Parkhouse
Corbin	Phillips
Fuller	Rogers of Travis
Hardeman	Russell
Kelley	Rutherford
Lane	Sadler
Lock	Secrest
Martin	Weinert

Absent

Hazlewood	Rogers
Kazen	of Childress
	Shireman

Question recurring on the amendment, the amendment failed of adoption by the following vote:

Yeas—12

Bracewell	Moffett
Hazlewood	Phillips
Kelley	Rogers of Travis
Latimer	Sadler
Lock	Secrest
McDonald	Shireman

Nays—18

Aikin	Parkhouse
Ashley	Rogers
Bell	of Childress
Colson	Russell
Corbin	Rutherford
Fuller	Strauss
Hardeman	Wagonseller
Lane	Weinert
Martin	Willis
Moore	

Present—Not Voting

Kazen

On motion of Senator Wagonseller, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 175 on Third Reading

Senator Wagonseller moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 175 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Russell

Rutherford	Wagonseller
Sadler	Weinert
Shireman	Willis
Strauss	

Nays—1

Secrest

Absent

Latimer	Moore
---------	-------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Latimer

Message From the House

Hall of the House of Representatives.

Austin, Texas,
May 7, 1953

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 113, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture for the operating expenses incurred in the enforcement of the provisions of House Bill No. 593, Fifty-second Legislature, for the remainder of the fiscal year ending August 31, 1953, provided for its expenditures under the general provisions of House Bill No. 426, Regular Session, Fifty-second Legislature; and declaring an emergency."

H. B. No. 168, A bill to be entitled

"An Act amending subdivision 95, Article 1302, Revised Civil Statutes, 1925, to permit incorporation for the purpose of construction, maintenance and operation of radio and/or television broadcasting equipment and stations and declaring an emergency."

H. B. No. 304, A bill to be entitled "An Act to amend Article 2696 of the Revised Civil Statutes of 1925, as amended by House Bill No. 492, Acts 44th Legislature, Regular Session, 1935, Chapter 201, changing and fixing the time for permissible transfer of scholastics on parental applications; amending Article 2698 of the Revised Civil Statutes of 1925, as amended by Senate Bill No. 62, Acts of 42nd Legislature, First Called Session, 1931, Chapter 37, changing and fixing the time provisions on emergency transfers for State apportionment purposes; amending Article 296 of the Revised Penal Code of the State of Texas of 1925, to conform and correlate with Article 2698, supra, as amended herein, and with proposed submitted amendments of Article 2816 of the Revised Civil Statutes of 1925, the scholastic census statute, now before the 53rd Legislature; and declaring an emergency."

H. B. No. 305, A bill to be entitled "An Act amending Article 2874, Revised Civil Statutes of 1925, which is also Section 38, Chapter 176, Acts of 39th Legislature, R. S., 1925, reducing the amount of performance bond to be carried by local school districts covering textbooks assigned to them; and declaring an emergency."

H. B. No. 367, A bill to be entitled "An Act amending Article V, Section I, of Senate Bill No. 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended, so as to provide for current operating costs to be allotted to 'exceptional children teacher units'; repealing all laws or parts of laws in conflict with this Act to the extent of such conflict only; and declaring an emergency."

H. B. No. 389, A bill to be entitled "An Act authorizing employment of a secretary or stenographer for each county judge in the State; providing a method of employment; prescribing the salaries to be paid such secretaries or stenographers; providing the method of payment of such salaries; providing a severability clause; re-

pealing all laws in conflict; and declaring an emergency."

H. B. No. 426, A bill to be entitled "An Act creating a County Juvenile Board in Freestone County; providing for the compensation of the members of the Board; providing that this Act shall be cumulative; providing a severability clause; and declaring an emergency."

H. B. No. 431, A bill to be entitled "An Act to amend Chapter 399, Section 1, Acts of the 52nd Legislature, 1951, by providing that no county auditor shall hereafter be appointed in any county having a population of not more than twenty-five thousand five hundred (25,500) and not less than three thousand (3,000) where no such county auditor has been appointed by the District Judge prior to the effective date of this Act, except upon the petition of the County Commissioners Court and in all such counties the duties of such county auditor in such counties shall be performed by other officers as may be prescribed by general law; and declaring an emergency."

H. B. No. 468, A bill to be entitled "An Act to provide for the proof of business and official records by the use of photographic copies, and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act validating bonds heretofore voted by water control and improvement districts and proceedings and elections relating thereto and providing that such bonds when approved by the Attorney General and registered by the Comptroller and sold and delivered shall be binding, legal, and valid and enforceable obligations; validating the organization of such districts and proceedings relating thereto, and acts and proceedings of the governing bodies thereof; providing that this Act shall not validate any district or bonds or elections or acts or proceedings if the validity thereof is involved in litigation on the effective date of this Act and such litigation is determined against the validity thereof; and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act authorizing the refunding of defaulted obligations owned by the State Available School Fund; provided such obligations shall have been

continuously in default for at least fifteen (15) years; prescribing the conditions and limitations on the issuance, acceptance and exchange of refunding bonds issued in lieu of such defaulted obligations; providing that refunding bonds bearing the same rate of interest may be accepted in lieu of matured or unmatured bonds held for the State Permanent School Fund; providing a severability clause; making this Act cumulative of all other laws on the subject; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 523, A bill to be entitled "An Act providing that the natural source of calcium carbonate, the weight of the combined trace minerals and the amount of all inert matter used in mixed feeds or mixed minerals shall be clearly stated on all tags, labels and other printed matter which manufacturers, importers, agents and sellers of feeding stuff are required to attach, use, furnish or submit by the provisions of Articles 3872 through 3881, Revised Civil Statutes of 1925, and Articles 1489 through 1498, Revised Penal Code of 1925; providing this Act is to be enforced by the Texas Feed Control Service and the Texas Agricultural Experiment Station; providing a severability clause; and declaring an emergency."

H. B. No. 525, A bill to be entitled "An Act to amend Subsection A of Section 5 of H. B. 168, Acts 1947, Fiftieth Legislature, Chapter 352, regulating retirement compensation for State employees, by adding a provision entitling any member to his service retirement allowance who shall have completed twenty years or more of creditable service as a law enforcement officer of the Department of Public Safety, Game and Fish Commission, Liquor Control Board, of the State of Texas, and declaring an emergency."

H. B. No. 534, A bill to be entitled "An Act to clarify and amend Article 754 of the Penal Code of Texas, 1925, as amended so as to provide a greater penalty for the violations of the laws of Texas Regulating the Practice of Dentistry, and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act making it unlawful for any person to hunt, snare, kill or attempt to kill by any means whatsoever any

wild deer, buck, doe, or fawn in the Counties of Newton and Jasper in the State of Texas prior to January 1, 1955; providing a penalty therefor; repealing all laws or parts of laws in conflict; and declaring an emergency."

H. B. No. 552, A bill to be entitled "An Act providing for an open season when it shall be lawful to hunt, take, or kill squirrel in Jasper and Newton Counties, Texas; fixing a penalty for violation thereof; repealing all laws in conflict; and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act repealing Chapter 220, page 339 of the Acts of the Regular Session of the 48th Legislature, 1943, prohibiting the transportation of minnows in excess of five hundred (500) in Jasper and Newton Counties; and declaring an emergency."

H. B. No. 556, A bill to be entitled "An Act amending Section 44, Acts of the 50th Legislature, Chapter 421, page 967, being also known as Section 44 of Article 6701d, of Vernon's Revised Civil Statutes of Texas, by increasing to ten (10) days the time in which a written report of an accident is required; providing a penalty for failure to report an accident; fixing the venue for the prosecution of such offense; providing a saving clause and declaring an emergency."

H. B. No. 568, A bill to be entitled "An Act amending Article 2773, Revised Civil Statutes of 1925, to vest sole discretionary authority in boards of trustees of independent school districts to sell district school buildings and lands; validating all such sales heretofore made in substantial compliance herewith; providing this Act shall not modify, change or affect House Bill No. 854, Acts of 47th Legislature, Regular Session, Chapter 368 (Article 2773a, V.A.C.S.); and declaring an emergency."

H. B. No. 624, A bill to be entitled "An Act to amend Section 5 of Senate Bill Number 422, Chapter 362, page 692 of the General and Special Laws passed by Regular Session of the 51st Legislature, making the County Court at Law of Nueces County a court of continuous term; and declaring an emergency."

H. B. No. 664, A bill to be entitled "An Act authorizing certain provisions in resolutions authorizing the

issuance of revenue bonds by navigation districts; validating resolutions heretofore adopted containing such provisions; authorizing the issuance of revenue refunding bonds by navigation districts; providing a separability clause; repealing conflicting laws; and declaring an emergency."

H. B. No. 670, A bill to be entitled "An Act to amend Article 678, of Vernon's Code of Criminal Procedure of the State of Texas of 1925, to provide that if the jury disagrees as to the statement of any witness, upon applying to the court, they may have read to them from the court reporter's notes that part of such testimony on the point in dispute; repealing all laws and parts of laws of this State in conflict with the Act to the extent of such conflict only; and declaring an emergency."

H. B. No. 761, A bill to be entitled "An Act providing for leaves of absence without loss of time or efficiency rating or vacation time or salary of all officers and employees of the State of Texas and of any county or political subdivision thereof, including municipalities, who are members of the National Guard or official militia of Texas or members of any of the Reserve Components of the Armed Forces; providing the above-named officers and employees shall be restored to former positions; providing that the limitation as to the number of days allowed shall not apply to members of the Legislature; repealing all laws in conflict; and declaring an emergency."

H. B. No. 801, A bill to be entitled "An Act amending Section 8 of Chapter 107, Acts of the 41st Legislature, Regular Session, 1929, as amended by Chapter 395, Acts of the 48th Legislature, Regular Session, 1943, as amended by Chapter 469, Acts of the 52nd Legislature, Regular Session, 1951, the same being codified as Section 8 of Article 4542a of Vernon's Civil Statutes, so as to exempt members of the faculty of a reputable college or school of pharmacy recognized by the Texas State Board of Pharmacy where such faculty members who are registered pharmacists, perform their services for the sole benefit of such college or school; and exempting students of a reputable college or school of pharmacy recognized by the Texas State Board of Pharmacy who perform their services without pay in the presence and

under the direct supervision of a registered pharmacist who is a member of the staff of a reputable college or school of pharmacy recognized by the Texas State Board of Pharmacy; providing for a repealing clause; and declaring an emergency."

H. B. No. 809, A bill to be entitled "An Act amending Article 2122, Revised Civil Statutes of Texas, 1925, and Article 1056, of the Code of Criminal Procedure of Texas, 1925, as amended, so as to provide a minimum and maximum pay for jurors to be determined by the commissioners court; providing a severability clause; repealing all laws in conflict; and declaring an emergency."

H. B. No. 845, A bill to be entitled "An Act to amend Chapter 465, Acts of the Fifty-first Legislature, creating Eastland County Water Supply District, relating to the number of directors of the District and the manner of their election; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 848, A bill to be entitled "An Act amending Chapter 128, page 223, Acts of the 50th Legislature of Texas, Regular Session, 1947, by adding a new Section authorizing the abolition of water control and improvement districts which, when created, were composed of territory situated wholly within the boundaries of an existing incorporated city, when such abolition is ordered by the governing body of such city; providing that upon dissolution of such Districts, all of the properties and assets of the Districts shall pass to such City and such City shall assume and become liable for the payment of all bonds and other indebtedness of such District; authorizing the refunding of outstanding bonds of such Districts by, and in the name of, the city which has assumed the payment thereof and making provision for the payment of such refunding bonds; providing methods and procedure relating to the subject matter; containing a saving clause; and declaring an emergency."

H. B. No. 851, A bill to be entitled "An Act amending Section 1 of Chapter 160, Acts of the 52nd Legislature, 1951, by changing the provisions relating to an open season for wild quail in Upshur County and by adding provisions relating to hunting or killing quail upon the premises of

another; and declaring an emergency."

H. B. No. 852, A bill to be entitled "An Act creating a juvenile board for Washington County and designating the chairman thereof; authorizing an additional salary for the chairman of the juvenile board; stating the effect of this Act on existing laws; and declaring an emergency."

H. B. No. 860, A bill to be entitled "An Act amending Section 1 of Chapter 297, Acts of the 52nd Legislature, 1951, as amended by House Bill No. 60, Acts of the 53rd Legislature, 1953, which prohibits the use of nets and seines and otherwise regulates the taking of fish in certain counties, by eliminating Wood County from its provisions; and declaring an emergency."

H. B. No. 864, A bill to be entitled "An Act providing for the organization of co-operative, non profit, membership corporations for the purpose of furnishing water service, sewer service, and fire protection service; defining terms; defining the powers, duties and limitations of such corporations; providing the manner in which such corporations may be organized and prescribing the contents of the articles of incorporation; providing for the execution, filing and recording of articles of incorporation; regulating membership in such corporations; authorizing consolidation of corporations and regulating the procedure therefor; regulating the manner of disposition of property of the corporation; extending the provisions of this Act to certain existing corporations; prescribing filing fees; making certain provisions of the Telephone Cooperative Act applicable to corporations organized hereunder; providing a severability clause; and declaring an emergency."

H. B. No. 868, A bill to be entitled "An Act authorizing the sheriff or purchasing agent of any county of the State of Texas to sell and dispose of any unclaimed or abandoned personal property belonging to arrested persons or prisoners placed in the county jail, and declaring an emergency."

H. B. No. 869, A bill to be entitled "An Act amending Article 6221, Revised Civil Statutes of Texas, 1925, as amended, so as to provide for the payment of an increased pension to

each married Confederate Veteran who is living with his wife; and declaring an emergency."

H. B. No. 870, A bill to be entitled "An Act authorizing the governing body of any incorporated city or town (including home rule cities) having a population of 75,000 inhabitants or less, according to the last preceding Federal census, to lease any city-owned hospital or part thereof to be operated by the lessee as a public hospital under such terms and conditions as may be agreed upon by such governing body and lessee; providing for the authorization and execution of the lease and lease agreement; providing the term to be covered by such lease; and declaring an emergency."

H. B. No. 873, A bill to be entitled "An Act making it unlawful to take, hunt, kill, or attempt to kill wild deer or wild turkey in Throckmorton County for a period of two years from and after the effective date of this Act; providing a penalty therefor; and declaring an emergency."

H. B. No. 874, A bill to be entitled "An Act to regulate the taking of fish from the Colorado River in the counties of Mills and San Saba; prescribing a penalty; repealing laws in conflict to the extent of such conflict; and declaring an emergency."

H. B. No. 879, A bill to be entitled "An Act to create Road District Number 6, Cherokee County, Texas, and specifically setting out its boundaries, including therein a portion of the territory embraced in Road District Number 3, authorizing the Commissioners Court to continue to levy an ad valorem tax in such territory for the payment of its pro rata share of the principal and interest on all outstanding bonds of Road District Number 3; authorizing the issuance of bonds by the newly created Road District in the manner and at such times as provided by the General Laws of Texas for the issuance of bonds by Road Districts, without the necessity of voting and issuing compensation bonds, and in conformity with Article 3, Section 52, of the Constitution of Texas; and declaring an emergency."

H. B. No. 880, A bill to be entitled "An Act amending all that part of Section 1 of Article III of Senate Bill No. 116, Acts 51st Legislature, Regular Session, 1949, Chapter 334, ap-

pearing prior to subdivisions (1) through (7) inclusive of Section 1 of Article III, supra, but amending no provisions of such subdivisions (1) through (7), to provide for the allocation of professional units in certain school districts containing two hundred and fifty (250) square miles or more and having fewer than one (1) pupil per square mile, and which operates and maintains a four-year accredited high school; providing the effective date of this Act; and declaring an emergency."

H. B. No. 884, A bill to be entitled "An Act providing an open season for deer in Wood and Upshur Counties; prescribing a penalty; repealing all laws in conflict; and declaring an emergency."

H. B. No. 887, A bill to be entitled "An Act validating the incorporation of towns or villages heretofore incorporated or attempted to be incorporated under Chapter 11 of Title 28 of the Revised Civil Statutes of Texas, 1925; providing that the provisions hereof shall affect no town or village now in litigation; and declaring an emergency."

H. B. No. 888, A bill to be entitled "An Act making it unlawful to take, hunt, kill, or attempt to kill wild deer in Bell and Coryell Counties for a period of five years from and after the effective date of this Act; providing a penalty therefor; and declaring an emergency."

H. B. No. 892, A bill to be entitled "An Act to make it unlawful to take or kill wild quail of any species for a period of three (3) years in Andrews County, Texas; fixing a penalty; providing a rule of evidence; providing a severability clause; and declaring an emergency."

H. B. No. 895, A bill to be entitled "An Act to amend House Bill 426, General and Special Laws of Texas, Chapter 499, page 1441, Subsection 25, Acts of 52nd Legislature, Regular Session, 1951; providing for a repealing clause, savings clause, and declaring an emergency."

S. C. R. No. 36, Granting to Community Public Service Company an easement, right-of-way, license, and permit for an electric transmission line, and other facilities, between the City of Gatesville in Coryell County

and the City of Hamilton in Hamilton County.

S. C. R. No. 25, Memorializing Congress regarding those transactions of government that are the just and proper concern of the public, etc.

S. B. No. 59, A bill to be entitled "An Act to amend Article 802 of the Penal Code of Texas, as amended; and declaring an emergency."

(With amendments.)

H. B. No. 635, A bill to be entitled "An Act to amend Section 6, Chapter 42, General Laws, Second Called Session, Forty-first Legislature, 1929, as amended by Section 4, Chapter 71, Forty-seventh Legislature, 1941, as amended by Section 1, Chapter 116, Fifty-second Legislature, to provide that owners and operators of commercial vehicles apprehended when carrying a greater gross load than that for which said vehicles are licensed shall raise the registration of the vehicles at the nearest available County Tax Assessor-Collector's Office to an amount equal to the gross weight of the vehicles at the time of apprehension; providing such total registration shall not exceed the legal gross weight allowed for such vehicle; providing that the additional registration shall be retroactive to date of purchase of current license; etc.; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Bills and Resolution Signed

The President signed, in the presence of the Senate, after the captions had been read, the following enrolled bills and resolution:

S. B. No. 75, A bill to be entitled "An Act amending Article 1700 of the Texas Criminal Statutes, providing a saving clause; and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act amending Article 128 of Vernon's Texas Statutes; providing a saving clause; and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act amending Section 1 of Acts of the 44th Legislature, 1935, Chapter 39, page 111, as amended by subsequent sessions of the Legislature,

and as codified as Section 1, or Article 4639a, Vernon's Civil Statutes of Texas, so as to raise the age from sixteen (16) to eighteen (18) years for which the court may require a parent to contribute to the support of a minor child upon the granting of a divorce; repealing all laws in conflict herewith and providing a saving clause; and declaring an emergency."

S. B. No. 93, A bill to be entitled "An Act amending subsection (c) of Section 3 of House Bill 336, Chapter 282, Acts of the Forty-second Legislature, Regular Session, 1931, as amended, regulating the length of vehicles and combinations of vehicles; etc., and declaring an emergency."

S. B. No. 123, A bill to be entitled "An Act granting State employees who executed waivers in the Employees Retirement System of Texas the privilege to deposit with the Employees Retirement System of Texas all back contributions and dues commencing with the State fiscal year, September 1, 1947, for each of the years actually employed since 1947, providing said employee was employed by a State Department during the fiscal year commencing September 1, 1952; etc., and declaring an emergency."

S. B. No. 286, A bill to be entitled "An Act amending Article 3241, Revised Civil Statutes of 1925, by removing from said article the phrase 'Five dollars per week for the board of such patient, together with the necessary cost incident to his transportation to said colony' and adding thereto the phrase 'the actual cost of maintaining and treating such patient'; providing a saving clause; and declaring an emergency."

S. B. No. 73, A bill to be entitled "An Act providing for and fixing the salaries of firemen and policemen in all cities having a population of ten thousand (10,000) or more inhabitants; providing for establishment of classifications by municipal governments affected by this Act; providing penalties for violations of the provisions of this Act; providing a saving clause; and declaring an emergency."

S. B. No. 136, A bill to be entitled "An Act to amend Article 5506a, Revised Civil Statutes of Texas, 1925; providing that reasonable charges shall be made for hospital services; allowing more than one hospital treat-

ing such injuries to have the benefit of a lien on any damages recovered by the injured person; excepting certain hospitals from the operation of this Act; providing an increased filing fee for recording such liens; allowing examination of the records of such injured persons with their consent; containing a severability clause; repealing all laws and parts of laws in conflict; and declaring an emergency."

S. C. R. No. 45, Proclaiming 1954 as Centennial Year of founding of Texas Public School System and designating Jan. 31, 1954 as the day on which the 100th such anniversary be celebrated.

House Bill 39 on Second Reading

Senator Bell moved to suspend the regular order of business to take up for consideration at this time H. B. No. 39.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	

Nays—7

Ashley	Sadler
Hardeman	Weinert
Martin	Willis
McDonald	

Absent

Rogers
of Childress

The President laid before the Senate for consideration at this time on its second reading and passage to third reading, the following bill:

H. B. No. 39, A bill to be entitled "An Act repealing House Bill No. 223, Chapter 141, Acts of the Fifty-second Legislature, Regular Session, 1951; re-enacting and amending Sections 140, 141, and 142, Article XV

of Senate Bill No. 172, Chapter 421, Acts of the Fiftieth Legislature, Regular Session, 1947; providing for the compulsory inspection, adjustment, correction or repair of motor vehicles, trailers, semi-trailers, pole trailers and house trailers under the supervision of the Texas Department of Public Safety; providing for the designation of official inspection stations and the regulation of such stations; providing penalties for the violation of the provisions of this act; providing for inspection fees, methods of payment, the disposition of such fees; creating a fund for the administration of this act and providing for the disposition of said funds; providing for the administration and enforcement of these sections; making an appropriation; providing for severability; and declaring an emergency."

The bill was read the second time.

Senator Bell offered the following committee amendment to the bill:

Amend H. B. No. 39 by adding after the words "windshield wipers" wherever they appear, the following: "and looseness of gear box on frame, condition of drag links and tie-rod ends."

The amendment failed of adoption by the following vote:

Yeas—15

Bell	Parkhouse
Corbin	Rogers of Travis
Fuller	Russell
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Moore	

Nays—15

Ramsey,	McDonald
President	Moffett
Aikin	Phillips
Ashley	Rogers
Bracewell	of Childress
Hardeman	Rutherford
Hazlewood	Sadler
Lock	Weinert
Martin	Willis

Absent

Colson

The President announced that he voted "nay" on the adoption of the amendment.

Senator Bell offered the following committee amendment to the bill:

Amend H. B. No. 39, subsection E of Section 2, by adding after the words "deputy sheriff" the words "or any city policeman."

Senator Aikin offered the following substitute for the committee amendment:

Amend H. B. No. 39 by striking out the words "sheriff or deputy sheriff" in line 22, page 2.

Senator Bell moved to table the substitute for the committee amendment.

The motion to table prevailed by the following vote:

Yeas—15

Bell	Moffett
Bracewell	Moore
Corbin	Parkhouse
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Latimer	Wagonseller
McDonald	

Nays—14

Aikin	Rogers
Ashley	of Childress
Hardeman	Rogers of Travis
Lane	Russell
Lock	Rutherford
Martin	Sadler
Phillips	Weinert
	Willis

Absent

Colson Fuller

Question recurring on the committee amendment, it was adopted.

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 39, page 4, line 58, by striking out the word "and."

Question—Shall the amendment by Senator Bell to H. B. No. 39 be adopted?

Senate Resolution 265

By unanimous consent Senator Hardeman offered the following resolution:

Whereas, We are honored today to have in the gallery the senior class of Christoval High School, Christoval,

Texas, accompanied by their sponsors, Mrs. G. W. Tillerson and Mrs. C. R. Atkins, and

Whereas, These students and sponsors are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Hardeman presented the students and their sponsors to the Members of the Senate.

Senate Bill 107 with House Amendments

Senator McDonald called S. B. No. 107 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator McDonald moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—26

Ashley	Moore
Bell	Parkhouse
Colson	Phillips
Corbin	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Secret
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Nays—2

Aikin	Bracewell
	Absent
Fuller	Weinert
Sadler	

Senate Resolution 266

Senator Ashley offered the following resolution:

Whereas, Former Governor Miriam A. Ferguson, who is loved and respected by the people of the State to whose welfare she has so largely contributed, is approaching another anniversary of her birth; and

Whereas, She is the first and only woman to be chosen Governor of Texas and was twice elected to that high office; and

Whereas, She has endeared herself to Texans not only by distinguished service in high office and by continuing interest in all that is good for her native State, but as an outstanding example of noble and gentle womanhood, an ideal wife and a devoted mother; and

Whereas, It is especially appropriate on the eve of another Mother's Day that we honor the one mother who has served as Chief Executive of this great State; now, therefore, be it

Resolved, By the Senate of the State of Texas, that this body hereby expresses to Mrs. Ferguson its appreciation of a career inspiring to all Texans and wishes her many more birthdays; and be it

Resolved further, That when the Senate adjourns today it does so in honor of Mrs. Ferguson and all Texas mothers.

ASHLEY

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Childress, Rogers of Travis, Russell, Rutherford, Sadler, Secret, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Aikin, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was read and was adopted.

Senate Bill 133 With House Amendments

Senator Lane called S. B. No. 133 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lane moved that the Sen-

ate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

House Bills on First Reading

The following bills, received from the House, were read first time and were referred to the committees indicated:

H. B. No. 664, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 113, to Committee on Finance.

H. B. No. 168, to Committee on Civil Jurisprudence.

H. B. No. 304, to Committee on Educational Affairs.

H. B. No. 305, to Committee on Educational Affairs.

H. B. No. 367, to Committee on Finance.

H. B. No. 389, to Committee on State Affairs.

H. B. No. 426, to Committee on State Affairs.

H. B. No. 431, to Committee on Counties and County Boundaries.

H. B. No. 468, to Committee on Civil Jurisprudence.

H. B. No. 485, to Committee on State Affairs.

H. B. No. 487, to Committee on Educational Affairs.

H. B. No. 523, to Committee on Agricultural Affairs.

H. B. No. 525, to Committee on Counties and County Boundaries.

H. B. No. 534, to Committee on Civil Jurisprudence.

H. B. No. 551, to Committee on Game and Fish.

H. B. No. 552, to Committee on Game and Fish.

H. B. No. 553, to Committee on Game and Fish.

H. B. No. 556, to Committee on State Highways and Motor Traffic.

H. B. No. 568, to Committee on Educational Affairs.

H. B. No. 624, to Committee on Counties and County Boundaries.

H. B. No. 670, to Committee on State Affairs.

H. B. No. 761, to Committee on State Affairs.

H. B. No. 801, to Committee on State Affairs.

H. B. No. 809, to Committee on Civil Jurisprudence.

H. B. No. 845, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 848, to Committee on Towns and City Corporations.

H. B. No. 851, to Committee on Game and Fish.

H. B. No. 852, to Committee on Civil Jurisprudence.

H. B. No. 860, to Committee on Game and Fish.

H. B. No. 864, to Committee on Civil Jurisprudence.

H. B. No. 868, to Committee on State Affairs.

H. B. No. 869, to Committee on Finance.

H. B. No. 870, to Committee on State Affairs.

H. B. No. 873, to Committee on Game and Fish.

H. B. No. 874, to Committee on Game and Fish.

H. B. No. 879, to Committee on Counties and County Boundaries.

H. B. No. 880, to Committee on Educational Affairs.

H. B. No. 884, to Committee on Game and Fish.

H. B. No. 887, to Committee on Towns and City Corporations.

H. B. No. 888, to Committee on Game and Fish.

H. B. No. 892, to Committee on Game and Fish.

H. B. No. 895, to Committee on Finance.

H. B. No. 635, to Committee on State Highways and Motor Traffic.

Senate Resolution 267

Senator Corbin offered the following resolution:

Whereas, We are honored today to have in the gallery six students from the Plains High School, Plains, Texas, in Austin to participate in the one-act play contest, accompanied by A. B. Carpenter, Mrs. A. B. Carpenter, and Gerald Anderson; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Reports of Standing Committees

By unanimous consent, Senator Aikin submitted the following reports:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred H. B. No. 305, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred H. B. No. 437, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

By unanimous consent, Senator Lane submitted the following reports:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 415, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 534, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

By unanimous consent Senator Secrest submitted the following report:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 431, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Adjournment

On motion of Senator Weinert, the Senate at 12:35 o'clock p. m. adjourned until 10:30 o'clock a. m. on Monday, May 11, 1953.

Record of Vote

Senators Phillips and Willis asked to be recorded as voting "nay" on the motion to adjourn.

FIFTY-NINTH DAY

(Monday, May 11, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll call was called and the following Senators were present: